

TITLE VI PLAN

St. Lawrence County



Joseph R. Lightfoot, Chair

Date

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Introduction

St. Lawrence County is a recipient of Federal funds from the United States Department of Transportation modal agencies which includes the Federal Highway Administration (FHWA). All recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes, regulations and authorities. The Title VI Plan (Plan) describes how St. Lawrence County effectuates nondiscrimination in the delivery of its federally assisted programs, services and activities. The Plan includes the staffing structure for St. Lawrence County's Title VI Nondiscrimination program as well as the policies, procedures and practices St. Lawrence County has in place to comply with Federal nondiscrimination requirements. The Plan is regularly monitored and updated to reflect the growth and changes of St. Lawrence County's Title VI Nondiscrimination program as it changes and grows. Anyone wishing to provide input into St. Lawrence County's Title VI program or activities is encouraged to contact St. Lawrence County's Title VI Coordinator by calling (315) 379-2292, emailing planning@stlawco.org, or by writing to 48 Court Street, Canton, NY 13617.

Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance. Programs that receive Federal funds cannot distinguish among individuals on the basis of race, color or national origin, either directly or indirectly, in the types, quantity, quality or timeliness of program services, aids or benefits that they provide or the manner in which they provide them. This prohibition applies to intentional discrimination as well as to procedures, criteria or methods of administration that appear neutral but have a discriminatory effect on individuals because of their race, color, or national origin. Policies and practices that have such an effect must be eliminated unless a recipient can show that they were necessary to achieve a legitimate nondiscriminatory objective. Even if there is such a reason the practice cannot continue if there are alternatives that would achieve the same objectives but that would exclude fewer minorities. Persons with limited English proficiency must be afforded a meaningful opportunity to participate in programs that receive Federal funds. Policies and practices may not deny or have the effect of denying persons with limited English proficiency equal access to Federally-funded programs for which such persons qualify.

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3; EO 13166.

Title VI Nondiscrimination Policy Statement

St. Lawrence County, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion, disability, color, national origin, sex, or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation in any federally or non-federally funded program or activity administered by St. Lawrence County.

POLICY AND SCOPE

St. Lawrence County's Civil Rights Policy Statement directs that the requirements of Articles 15-A of New York State Executive Law, Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as well as the Americans with Disabilities act, and all other relevant laws and executive orders are fully integrated into all of St. Lawrence County's and subrecipient's activities. State and Federal nondiscrimination laws are the cornerstones of St. Lawrence County's strategy to ensure equal opportunity and fair and equitable programs and services to the public.

This policy incorporates throughout all of St. Lawrence County's operations the requirements of applicable State and Federal laws and executive orders to prohibit any discriminatory practices, procedures and policies. All administrators, managers, supervisors and employees are directed to comply with these laws and orders.

All employees must assist in the prevention and elimination of any discriminatory practices and are encouraged to report allegations of discrimination to St. Lawrence County's Title VI Coordinator for review and appropriate action.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with St. Lawrence County. Any such complaint is preferably in writing and filed with St. Lawrence County's Title VI Coordinator. Title VI Discrimination Complaint Forms may be obtained from St. Lawrence County's Title VI Coordinator at no cost to the complainant, on our website at www.stlawco.org, or by calling (315) 379-2292.

This policy will be available in the Planning Office, on Countywide Forms (transitioned to Intranet upon completion), upon request, the St. Lawrence County webpage and made available to all organizations and entities doing business with St. Lawrence County. Any complaints involving allegations of discrimination should be submitted by mail, email, fax or in person to: St. Lawrence County's Title VI Coordinator, at 48 Court Street, Canton NY 13617, Tel: (315) 379-2292, Fax: (315) 379-2252, Email: planning@stlawco.org

Chief Executive Officer or Designee

Date

Title VI Coordinator

Title VI Coordinator:

The Title VI Coordinator is responsible for providing leadership, direction and policy to ensure compliance with Title VI of the 1964 Civil Rights Act. The Title VI Coordinator plans, develops, monitors and enforces standards for compliance in St. Lawrence County's programs, services and benefits.

St. Lawrence County has appointed the Planning Director as Title VI Coordinator. The Title VI Coordinator has easy access to the Chair of the Board of Legislators. The contact information for the agency's Title VI Coordinator is:

Title: Planning Director
Mailing Address: 48 Court Street, Canton, NY 13617
Telephone Number: (315) 379-2292
Email address: planning@stlawco.org

Title VI Coordinator's Responsibilities and Program Administration

As authorized by St. Lawrence County Board of Legislators, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring St. Lawrence County's compliance with Title VI requirements as follows;

1. Process, review and investigate Title VI complaints received by St. Lawrence County in accordance with St. Lawrence County's Title VI Complaint Procedures. If any individual believes they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or gender, they may file a complaint with St. Lawrence County. It is the goal of St. Lawrence County to resolve complaints informally at the lowest managerial level.
2. Collect statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of St. Lawrence County's highway programs (i.e., relocatee's, impacted citizens, and affected communities). Each Title VI program area will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is sufficient to meet the Title VI program administration requirements.
3. Review program areas to determine the effectiveness of program area activities at all levels. In addition to the day-to-day monitoring, all program areas will be reviewed periodically to ensure effectiveness in their compliance of Title VI provisions. The Title VI

Coordinator will coordinate efforts to ensure equal participation in their program areas and activities at all levels.

4. Conduct Title VI reviews when necessary of contractors and other recipients of federal aid highway funds.
5. Work with program staff to ensure the fundamental principles of Environmental Justice outlined below:
 - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
 - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
 - Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
6. Develop Title VI information for Public Dissemination. Ensure dissemination to the public and, where appropriate, in languages other than English. The County will disseminate Title VI Program information to County employees, contractors, subcontractors, consultants, and subconsultants as well as the public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement will be published in newspapers having a general circulation near proposed projects and announcements of hearings and meetings in minority publications.
7. Conduct pre-grant and post-grant approval reviews of St. Lawrence County programs and applicants for compliance with Title VI requirements; i.e., highway location, design and relocation, and persons seeking contracts with St. Lawrence County.
8. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update will include goals and objectives for the upcoming year.
9. Schedule training for Title VI related statutes for St. Lawrence County employees. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. All directives providing operational guidelines to all sub recipients, and program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.

10. Identify and eliminate discrimination when found to exist. Work with all St. Lawrence County Offices and Departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period of 90 days. St. Lawrence County will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period of 90 days.

Sub recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

St. Lawrence County will seek the cooperation of the sub recipient in correcting deficiencies found during the Title VI compliance reviews. St. Lawrence County will also provide the technical assistance and guidance needed to aid the sub recipient to comply voluntarily.

When a sub recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, St. Lawrence County will submit a copy of the case file to NYSDOT's Office of Civil Rights or the FHWA and a recommendation that the sub recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the sub recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

12. Maintain updated legislative and procedural information regarding St. Lawrence County's Title VI Program. This will include federal laws, rules and regulations, NYSDOT guidelines, St. Lawrence County's Plan and updates, and other resource information pertaining to Title VI issues.

Title VI Discrimination Complaint Procedures

Complaint Procedures for Federally Assisted Programs and Activities

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, relating to any transportation or Public Works program or activity administered by the County, as well as to sub recipients, consultants, and contractors. These procedures apply to complaints filed against a program or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest managerial/administrative level possible. The option of informal mediation meeting(s) between the affected parties and the investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, sex, age, national origin or disability may file a written complaint with St. Lawrence County.

Time Limits for Filing

A formal complaint must be filed within 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of the discriminatory conduct.

Form of Complaints

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail. A formal complaint of discrimination received by telephone will be written down and provided to the complainant for confirmation or revision before processing.
- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties in the complained of incident.

Upon receipt of the complaint, St. Lawrence County will acknowledge receipt of complaint, determine jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. In cases where the complaint is against one of St. Lawrence County's sub recipients of federal highway funds, St. Lawrence County will assume jurisdiction and will investigate and adjudicate the case. Complaints against St. Lawrence County will be referred to the New York State Department of Transportation's Office of Civil Rights for proper disposition. In special situations warranting intervention to ensure equity, the NYSDOT Office of Civil Rights may assume jurisdiction and either complete or obtain services to review or investigate matters.

Acceptance of a complaint will be determined by

- Whether the complaint is timely filed;
- Whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation;
- Whether the allegations involve a program or activity of a Federal-aid recipient
- The complainant(s) acceptance of reasonable resolution based on the Department's administrative authority;

A complaint may be dismissed for the following reasons

- The complainant requests the withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process complaint;
- The complainant cannot be located after reasonable attempts.

St. Lawrence County has sole authority for accepting complaints for investigation. Once St. Lawrence County decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and be logged into St. Lawrence County's records identifying its basis, alleged harm, the race, color, national origin and gender of the complainant(s).

In cases where St. Lawrence County assumes investigation of the complaint, St. Lawrence County will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of St. Lawrence County's written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, St. Lawrence County or a NYSDOT investigator will prepare an investigative report for St. Lawrence County's Title VI Coordinator and the agency's Chair of the Board of Legislators. The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. Both St. Lawrence County's Title VI Coordinator and Chair of the Board of legislators will have 10 calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the Office of the County Attorney for review. The Office of the County Attorney will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the Office of the County Attorney will be reviewed by the agency's Chair of the Board of Legislators. There will be a period of 10 calendar days for the Chair of the Board of Legislators to discuss the report and any recommendations with the agency's Title VI Coordinator, and to have the Title VI Coordinator address any modifications before the report's release to the corresponding United States Department of Transportation (USDOT) modality (FHWA, FTA, FAA).

St. Lawrence County's final investigative report and a copy of the complaint may be forwarded to either NYSDOT, FHWA, FTA, or FAA, within 60 calendar days of the acceptance of the complaint.

St. Lawrence County will notify the parties of its preliminary findings which may be subject to the corresponding USDOT modality's concurrence.

The corresponding USDOT modality may issue the final decision to St. Lawrence County based on the investigative report.

Title VI Data Collection

In order to measure disparate impact, relevant demographic data for St. Lawrence County's projects and programs needs to be collected and analyzed to see if one protected class is disproportionately impacted compared to other groups. This section will go over how St. Lawrence County's collects the data from the United States census, various ways to display and map that data, and how to do some basic entry level analysis of whether there is a disparate impact. St. Lawrence County is also committed to assure efforts will be made to prevent the discrimination of low-income and minority populations as a result of any impact of St. Lawrence County's programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations. In addition, St. Lawrence County assures every effort will be made to provide meaningful access to persons with Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

St. Lawrence County may collect available statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of, St. Lawrence County's highway programs (such as; persons who were relocated, impacted citizens, and impacted communities), or other applicable federally funded programs. The Title VI Coordinator may collect and maintain this data together. The data collection may be used to profile the impact of St. Lawrence County's activities as they relate to low-income and minority populations. The statistical data will serve to document how St. Lawrence County's procedures and policies provide equal and fair treatment to all of the impacted population.

The data used by St. Lawrence County may come from the use of census data, American Community Survey reports, Environmental Screening Tools (EST), driver and ridership surveys and from time to time through the request of voluntary identification of certain racial, ethnic or other data from those who participate in St. Lawrence County's public involvement events. Self-identification of personal data submitted to St. Lawrence County will always be voluntary and anonymous and will not be released or otherwise used in any manner inconsistent with federal regulations.

Title VI Monitoring

St. Lawrence County's Title VI compliance requires the monitoring of all St. Lawrence County's program areas regardless of whether the program area receives direct federal funding from FHWA or through NYSDOT. St. Lawrence County's Title VI monitoring will ensure that all activities are conducted in a nondiscriminatory manner and appropriate procedures will be established and put in place for the collection of related data. Program areas throughout St. Lawrence County will be monitored annually to ensure Title VI compliance. Agency management, supervisors and staff are required to cooperate in these efforts. It is important that St. Lawrence County's employees and subrecipients understand and play a role in Title VI compliance in order to ensure the continued receipt of federal funds.

What Activities Are Monitored?

In accordance with 23 CFR 200.9 (b) (10) & (11), an annual report of St. Lawrence County's Title VI accomplishments for each year and goals for the next year are developed and maintained. The annual Title VI accomplishment report contains information that is used to evaluate St. Lawrence County's Title VI program. Major program areas (Planning, Environment, Design, Right-of-Way, Construction, Maintenance, Safety, and Research) are monitored by the agency's Title VI Coordinator to ensure procedures and processes are in compliance with Title VI. St. Lawrence County's Title VI findings and efforts initiated toward compliance may be annually reported to the NYSDOT.

The following information, if applicable, will be reviewed by the agency's Title VI Coordinator:

- Information related to studies conducted that provided data relative to minority individuals, neighborhoods, income levels, physical environment and travel habits.
- The number and location of annually scheduled public meetings and hearings held.
- Type of record keeping used to document citizen participation in public meetings and public hearings.
- Title VI training and dates of training provided by your agency or program areas.
- Major goals and accomplishments made during the year regarding Title VI. Include where Title VI issues were identified and discrimination was prevented.
- Action taken to address any Environmental Impact Studies where minorities, women, elderly, disabled and low-income persons were adversely impacted.
- Whether the use of bilingual or non-English advertisements, announcements, notices, etc., to meet Limited English Proficiency (LEP) needs.
- Whether interpreters were present when needed to assist with LEP needs.
- Whether negotiation reports related to real estate transactions indicated a disparity in negotiation procedures between minorities and non-minorities.
- Procedures or process used to identify which communities (minorities, women, elderly, disabled, and low-income) were represented in the negotiation phase.

- The number of relocations during the reporting period.
- The number of construction projects initiated in the reporting period.
- Procedures or process in place to monitor Title VI compliance as it relates to special emphasis programs (Planning, Environment, Design, Right-of-Way, Construction, Maintenance, Safety).
- The number of Title VI complaints received, status of complaints, and resolution of complaints.

St. Lawrence County's Title VI Coordinator will annually review the agency's operations to ensure compliance with Title VI. In addition, all contracts with subrecipients, if any, will be reviewed by St. Lawrence County's Legal Department which ensures all FHWA related contracts include the Title VI Standard Assurances, including Appendices A through E Nondiscrimination Clauses.

All Title VI Discrimination Complaints received during the previous year will be reviewed again by the agency's Title VI Coordinator, the program area's Title VI Coordinator and an attorney from St. Lawrence County's Legal Department to determine if there are any repetitive issues. If any repetitive issues are identified, the issues will be investigated again with attention given as to why there was a repetitive issue and what can be done to correct the issue. St. Lawrence County will take administrative action to address the complaint and then evaluate whether the administrative action has eliminated or resolved the complaint. The resolution of all Title VI complaints filed with St. Lawrence County will be forwarded to the Director of the NYSDOT's Office of Civil Rights.

Public Participation Plan

The purpose of St. Lawrence County's Public Participation Plan (PPP) is to provide a process that allows citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, low and moderate income persons, minority groups and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. St. Lawrence County values and welcomes public participation in St. Lawrence County's transportation planning and program efforts, initiatives and decision making process.

St. Lawrence County's Public Participation Plan (PPP) is essential when planning and developing efficient transportation related projects. St. Lawrence County coordinates staff resources and financial resources to ensure public participation on all of its projects.

When St. Lawrence County undertakes a Federally funded project, St. Lawrence County complies with all Federal and State requirements regarding public participation. Information regarding the proposed project is distributed and posted, as required. Likewise, public participation meetings are held as required to inform the public of a proposed project or action. Records of public participation for St. Lawrence County projects will be collected and recorded by St. Lawrence County's Title VI Coordinator.

The Title VI Coordinator will distribute Title VI program information to St. Lawrence County's employees, contractors, subcontractors, consultants, and subconsultants as well as the general public, and where appropriate, in languages other than English. Public dissemination will include posting of public statements and inclusion of required Title VI language in contracts.

All Title VI information such as the Title VI Nondiscrimination Policy Statement, Complaint Procedures and Complaint Form will be posted on St. Lawrence County's website.

Guiding Principles

St. Lawrence County's PPP is based on the following principles:

1. Public participation is an activity that requires teamwork and commitment at all levels of St. Lawrence County's organization.
2. One size does not fit all. Input from diverse perspectives improves the process.
3. Effective public outreach and involvement requires relationship building with local citizens and advisory groups.
4. Engaging interested persons or groups in St. Lawrence County's transportation issues is possible, by making transportation issues relevant, removing barriers to participation, and communicating in clear language and visuals.

5. An open and transparent public participation process empowers all communities to participate in decision-making that affects them.

The following Five Strategies are in place to involve the public in St. Lawrence County's planning decisions.

Strategy 1: Early and Continuous Engagement

St. Lawrence County structures its major planning initiatives and funding decisions to provide for meaningful opportunities to help shape outcomes.

Strategy 2: Access to All

St. Lawrence County works to provide all residents opportunities for meaningful participation, regardless of disabilities or language barriers. Further, we recognize that citizens should not be a transportation professional to understand our written and oral communications.

Strategy 3: Response to Written Comments

St. Lawrence County welcomes and pays attention to the views of the public. St. Lawrence County is committed to responding to every letter and e-mail sent by individual members of the public.

Strategy 4: Inform Agency's Chief Executive Officer and the General Public of Areas of Agreement and Disagreement

St. Lawrence County's staff summarizes public comments on issues going before the agency's legislative branch to ensure the agency's top administrators and the public have a clear understanding of the opinions and options on a given issue.

Strategy 5: Notify Public of Proposed or Final Actions

St. Lawrence County strives to inform the public about how public meetings and participation are helping to shape or have contributed to St. Lawrence County's key decisions and actions. When outcomes don't correspond to the views expressed, efforts are made to explain why the outcomes did not correspond with the expressed views.

GET INVOLVED: ACCESSIBLE MEETINGS

All St. Lawrence County's public meetings or events are held in locations accessible to persons with disabilities. Monthly meetings and peer support groups take place at St. Lawrence County's offices. Accommodations will be provided upon request, please notify the Planning office at (315) 379-2292 at least 48 hours in advance of any meeting in which accommodations may be required.

Public Participation Techniques

St. Lawrence County uses various techniques to develop and implement specific public participation Programs. The following is a list of participation techniques and includes some approaches as well as an emphasis on digital engagement, based on what we heard from the public and partner agencies in response to recent outreach done in advance of updating this plan.

Public Engagement Methods

- Conduct meetings, workshops and open houses at varied times of day, including evening meetings, to encourage participation
- Present to existing groups and organizations; co-host events with community groups, business associations, etc.
- Participate in existing community events
- Contract with community-based organizations in low-income and minority communities for targeted outreach
- Organize small-group discussions such as focus groups with participants recruited randomly from telephone polls or recruited by stakeholder interest groups

Use of the Internet/Electronic Access to Information

- Maintain website with updated content, interactive surveys and opportunities for comment
- Use social media to reach a larger audience
- Post open house/workshop written and display materials

Use of Local Media

- News releases
- Invite reporters to news briefings
- Meet with editorial staff
- Opinion pieces/commentaries
- Purchase display ads
- Place speakers on Radio/TV talk shows
- Public Service Announcements on radio and TV
- Develop content for public access/cable television programming

Techniques for Involving Low Income Communities and Communities of Color

- Use of community and minority media outlets to announce participation opportunities

Techniques for Involving Limited-English Proficient Populations

- See St. Lawrence County's Plan for Limited English Proficient (LEP) Populations.
- Train staff to be alert to and anticipate the needs of LEP participants at meetings and workshops
- Translate materials; have translators available at meetings as requested
- Include information on meeting notices on how to request translation assistance
- On-call translators for meetings on request

Public Participation Goals

Citizens who take the time to participate in public processes should feel their participation is valued. St. Lawrence County's commitment to the following goals and performance benchmarks to measure the effectiveness of the public participation program.

- Promote a transparent process
- Encourage broad participation

- Engage for impact
- Build knowledge

Public Meetings and Forums

Public meetings on specific issues are held as needed. If statutorily required, formal public hearings are conducted, and notice of these public hearings is placed in the legal section of the local newspaper and the website. Meetings are located and scheduled to maximize public participation (including evening meetings). For major initiatives and events, St. Lawrence County typically provides notice through posting information on St. Lawrence County's website and if appropriate, through e-mail notices and news releases to local media outlets.

Title VI Training

St. Lawrence County's Title VI Coordinator will annually complete all required Title VI Training. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. The training will be provided to all new employees when they begin employment. All employees will sign an acknowledgment of receiving and understanding the training. For current employees, St. Lawrence County will have each Department head present and disseminate the training to employees and subcontractors under their supervision and collect their signed acknowledgment of receipt and understanding. The Title VI Coordinator will be available to answer questions and provide further training as needed.

TRANSLATION OF DOCUMENTS

St. Lawrence County weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, St. Lawrence County has determined that it is an unreasonable burden to translate documents at this time.

Due to the very small LEP population, St. Lawrence County does not have a formal outreach procedure in place as of 2020. Translation resources have been identified and are limited in this region. However, if the need arises to conduct outreach to LEP individuals, St. Lawrence County implement options and amend the Plan.

Program Areas

Planning

Develop near-term and long-term strategies to maintain and enhance the quality and safety of St. Lawrence County's transportation and infrastructure.

Title VI Responsibilities

- Ensure that all aspects of the transportation planning process comply with Title VI.
- Ensure participation of a cross section of various social, economic, and ethnic interest groups are represented in the planning process by disseminating program information to minority media and ethnic organizations and participating in roundtable meetings in minority and low-income communities when applicable.
- Assist the Title VI Coordinator in gathering and organizing information for internal annual Title VI Update Reports.
- Review the Program Development work program and other directives to ensure compliance with Title VI program requirements.
- Ensure equal participation on Citizens Advisory Committees (CAC) by requesting the CAC provide information regarding their selection process for members and to furnish information on membership make up (race, gender, and position within the organization) for evaluation.
- Visit CAC and public meetings to verify the level of participation of Title VI protected group members when offered in predominantly minority or low-income communities.
- Gather statistical data on program participation regarding race, color and national origin.

Consultant Services/Environmental

Consultant Contracts Administration

Identify the needs for each project, ensure they are met in the contract, and ensure consultant compliance to the satisfaction of St. Lawrence County.

Authorities:

48 CFR 31; 23 CFR 172

National Environmental Policy Act of 1969, 42-USC-4321

23 CFR Part 771

40 CFR Part 1500

49 CFR Part 622

EO 12898

Consultant Selection Process

Utilizing the request for proposal and competitive bidding processes, St. Lawrence County selects the appropriate contractors and vendors for the project. Title VI nondiscrimination provisions will be incorporated into all written contracts and materials in this process.

Environmental Process

Work with neighborhood stakeholders and community groups to ensure that all affected residents have opportunities to participate in the planning, design and construction of transportation projects.

Environmental Justice Outreach

Public Involvement in Environmental Justice will be achieved through outreach measures that assure meaningful involvement of minority and low-income populations. This will be achieved through a variety of measures, including but not limited to:

- Obtaining U.S. Census Data and data from the local School District to identify minority and low-income populations to determine impacts during the initial stages of project planning. Further analyze this data using additional sources, including area community, religious, and business associations, school districts, senior citizen groups, and economic development organizations.
- Inviting a cross section of the populace from social, economic, and ethnic groups in the planning process through written information in local newspapers and where possible, minority news media. Create notices that attract attention and are in layman’s terms.
- Holding meetings at a variety of times during the day and providing various locations to facilitate access and participation by target populations.
- When necessary, translate documents, notices and hearings for limited English-speaking populations.
- Obtaining demographic data at applicable community meetings and public hearings. Data will be gathered using voluntary self-reporting forms which include race, gender, and national origin. Copies of these forms will be sent to the Title VI Coordinator after each meeting.
- Document all evidence to support conclusions regarding Environmental Justice issues. Detail all efforts taken to identify minority or low-income populations affected by transportation planning activities.

Title VI Responsibilities

- Monitor compliance with Title VI requirements in all aspects of the environmental process, including Environmental Justice.
- Conduct meetings to review the project impact.
- Disseminate to the public their right to call or write the department to view plans and discuss environmental problems.
- Ensure DBE goal attainment.
- Coordinate the gathering of environmental information for the Annual Title VI Update Report including awards to DBE firms.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure time and location for public meetings or hearings is accessible.

- Maintain mechanisms to identify population affected by a project.
- Ensure participation of all segments of the impacted population in the location selection process.
- Ensure that all federally funded consultant contracts administered by this section have the appropriate Title VI Appendix enclosed.
- Review guidelines and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area as required for completion of the department's internal annual Title VI Update Report.

Attachment 1

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

St. Lawrence County (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the New York State Department of Transportation (NYSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from USDOT, including the NYSDOT.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Federal Highway Administration or Federal Transit Administration program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) programs: and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

The Recipient, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
- b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the Official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the New York State Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the New York State Department of Transportation. You must keep records, reports, and submit the material for review upon request to the New York State Department of Transportation, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the United States Department of Transportation. This ASSURANCE is binding on the Recipient, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in its programs. The person signing below is authorized to sign this ASSURANCE on behalf of St. Lawrence County.

Chair, Board of Legislators

Date signed _____

Appendix A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the New York State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the New York State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the New York State Department of Transportation may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the New York State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that St. Lawrence County will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of the Federal-Aid Transportation Program, and the policies and procedures prescribed by the **FTA or FHWA** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto St. Lawrence County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto St. Lawrence County and its successors forever, subject, however, to the covenants, conditions, restrictions and herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on St. Lawrence County its successors and assigns.

St. Lawrence County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that St. Lawrence County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by St. Lawrence County pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, St. Lawrence County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, St. Lawrence County will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of St. Lawrence County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments entered into by St. Lawrence County pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, St. Lawrence County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in breach of any of the above Non-discrimination covenants, St. Lawrence County will there upon revert to and vest in and become the absolute property of St. Lawrence County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of

limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Attachment 2

Title VI Discrimination Complaint Form

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint

Race _____

National Origin _____

Color _____

Disability (ADA) _____

Sex _____

Age _____

Low-Income (Y / N)

Who allegedly discriminated against you?

Name _____

Address _____ City _____ Zip _____

Telephone _____

If an organization, what is its name?

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Name of Contact _____

How were you discriminated against?

Where did the alleged discrimination occur?

Date/s and times discrimination occurred?

First time _____

Second time _____

Third time _____

Were there any other witnesses to the discrimination?

Name	Title	Work Telephone	Home Telephone

What can the Department do to resolve the complaint?

Have you filed your complaint with anyone else?

Who _____

When _____

Complaint number, if known _____

Do you have an Attorney in this matter?

Name _____

Address _____ City _____ Zip _____

Signed _____ Date _____

Mail to: Planning Director
Agency Name: St. Lawrence County Planning Office
Agency Mailing Address: 48 Court Street, Canton, NY 13617
Phone: (315) 379-2292
Email: planning@stlawco.org

Attachment 3

Americans with Disabilities Act (ADA) Transition Plan

ADA Transition Plan

This ADA Transition Plan reflects St. Lawrence County's long-term commitment to ADA compliance, and details the stages of St. Lawrence County's plan and timeline for: (1) evaluating accessibility by identifying any structural barriers associated with public facilities; (2) identifying accommodations and/or modifications that can be provided to make programs and services accessible; and (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

INTRODUCTION

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

As detailed below, St. Lawrence County has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure St. Lawrence County identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA required improvements in order to remove those barriers.

The ADA requires that the Transition Plan include the following components:

- 1) Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) Identification of the methods to be used to remove any barriers limiting accessibility;
- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities; and
- 4) The name of the public entity's ADA Coordinator.

STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN ST. LAWRENCE COUNTY'S FACILITIES

The first phase of the ADA Transition Plan is to evaluate St. Lawrence County's public facilities for accessibility. The Risk Manager, and officials from the Planning and Buildings and Grounds Departments will coordinate to conduct accessibility evaluations of the following facilities:

- Sidewalks, crosswalks, and curb ramps
- Publicly accessible buildings
- Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of St. Lawrence County's Public Facilities ("the Survey") will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey.

An Inventory of Public Facilities ("the Inventory") will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each St. Lawrence County sidewalk, crosswalk, and curb ramp:

Rating 1 – Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

Rating 2 – Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

Rating 3 – Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

Rating 4 – Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

Rating 5 – Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

Schedule for Completion

The St. Lawrence County Risk Manager, and officials from the Planning and Buildings and Grounds Departments will be coordinating over the next several months to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. The evaluations will be scheduled so as to evaluate outdoor facilities prior to the winter months (to avoid snow cover that may impede a thorough review), with any remaining evaluations of outdoor facilities to be completed November 1, 2021. Evaluations of indoor facilities will continue during the winter months. Therefore, it is estimated that Step 1 will be completed by June 1, 2021.

STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS

The second phase of St. Lawrence County's ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of St. Lawrence County's Compliance Committee. It is St. Lawrence County's practice to provide public notice of the dates and agendas of Compliance Committee meetings on St. Lawrence County's website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

A. Nature of Improvements and Structural Feasibility

The nature of necessary improvements will be determined during Step 1 – the accessibility evaluation of St. Lawrence County facilities – and will be incorporated into the ADA Transition Plan after completion of Step 1. Any improvements that St. Lawrence County officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

B. Priority of Improvements

Sidewalks; Crosswalks; Curb Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of "2" and "3" on the scale discussed above.

The priority of improvements to these facilities will be as follows:

- 1) Those serving publicly accessible St. Lawrence County facilities;
- 2) Those serving commercial and employment centers; and
- 3) Those serving other areas.

Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in St. Lawrence County buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of the Village of Canton Code Enforcement Officer is that St. Lawrence County facilities where public meetings take place are in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, St. Lawrence County does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, St. Lawrence County will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. St. Lawrence County however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. St. Lawrence County's ADA Transition Plan will outline a specific schedule for improvements after Completion of Step 2, and this schedule will reflect St. Lawrence County's commitment to ADA compliance.

ADA COORDINATOR

St. Lawrence County's ADA Coordinator is the Superintendent of Buildings and Grounds.

ADA Coordinator:	Superintendent of Buildings and Grounds
Name of Agency:	St. Lawrence County
Address:	48 Court Street, Canton, NY 13617
Telephone Number:	(315) 379-2273
Email Address:	dgrant@stlawco.org

Attachment 4

Title VI Notice to the Public

St. Lawrence County gives public notice of its nondiscrimination policy to ensure compliance with Title VI of the Civil Rights Act of 1964, as amended and related statutes and regulations in all federally funded NYSDOT services, programs and activities.

Any person who believes that as an individual, or as a member of any specific class of persons, has been excluded from participation in, been denied the benefits of or otherwise been subjected to discrimination under any service, program or activity and believes the discrimination is based on race, color, national origin, gender, age, income, disability or limited ability to speak English, has the right to file a formal complaint.

Complaints will be accepted in writing and may be filed with St. Lawrence County's Title VI Coordinator within 180 days from the date of the alleged act of discrimination.

For more information and for a Title VI Complaint Form and instructions on how to file a discrimination complaint, access our web-site at www.stlawco.org, or write to the address below. If this Notice is needed in another language, contact our office at:

St. Lawrence County
Attention: Planning Director
Agency Address: 48 Court Street, Canton, NY 13617
Telephone: (315) 379-2292
Email: planning@stlawco.org

Attachment 5

Environmental Justice Policy

While St. Lawrence County realizes the minority or low-income population may be small, this does not eliminate the possibility of a disproportionately high and adverse effect of a proposed action.

St. Lawrence County understands population size is not the basis for EJ intervention. Disproportionately high and adverse effects, not size, are the bases for EJ. A small minority or low-income population does not eliminate the possibility of a disproportionately high and adverse effect on these populations.

St. Lawrence County ensures the three fundamental Environmental Justice principles will be considered in its planning activities:

- a. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations.
- b. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- c. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Title VI and Environmental Justice applies to all of St. Lawrence County planning and project development programs, policies and activities. During project development, EJ will be considered in all decisions that require Environmental Impact Statements, Environmental Assessments, Categorical Exclusions, or Records of Decision. Impacts to the natural and human environment will be given equal consideration during the transportation decision making process.

Executive Order 12898 states that “...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations...” This order, signed by President Clinton in 1994, was followed by several United States Department of Transportation (USDOT) and Federal Highway Administration Orders that established procedures for implementation.

When It Is Required

This order applies to all federal actions, including projects that receive federal permits or federal funding.

- Identifying minority and low-income populations. The County Planning Office and the US Census Fact Finder both provide US Census information for this purpose.
- Providing opportunities for participation and comment by potentially affected communities.

- Assessing if there are Environmental Justice adverse effects, i.e., if there are disproportionately high impacts to minority and low income populations.
- bodily impairment, infirmity, illness or death;
- air, noise, and water pollution and soil contamination;
- destruction or disruption of man-made or natural resources;
- destruction or diminution of aesthetic values;
- destruction or disruption of community cohesion or a community's economic vitality;
- destruction or disruption of the availability of public and private facilities and services;
- vibration;
- adverse employment effects;
- displacement of persons, businesses, farms, or nonprofit organizations;
- increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community;

Attachment 6

Limited English Proficiency Plan

St. Lawrence County

Signed by:

Joseph R. Lightfoot, Chair: _____

Date: _____

E-Mail Address: jlightfoot@stlawco.org

Telephone Number: (315) 379-2276

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address St. Lawrence County's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which states that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, states that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination which is covered under Title VI. It directs each agency (e.g., FHWA) to publish guidance for its respective recipients (e.g., NYSDOT) clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds and extends to its sub recipients.

The information below will be disseminated to staff. Training opportunities on these topics also will be provided:

- Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Proper use of interpreter service provider's language identification cards
- Documentation of language assistance requests
- Handling of Title VI/LEP complaints

All contractors or subcontractors performing work for St. Lawrence County are required to follow the Title VI/LEP guidelines.

Plan Summary

St. Lawrence County has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to LEP persons regarding the availability of assistance. In order to prepare this plan, St. Lawrence County used the Federal Highway Administration (FHWA) Four-Factor LEP analysis:

1. The number or proportion of LEP persons in the service area who may be served by St. Lawrence County.
2. The frequency with which LEP persons come in contact with St. Lawrence County's services.
3. The nature and importance of services provided by St. Lawrence County to the LEP population.

4. The interpretation services available to St. Lawrence County and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is found in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require St. Lawrence County's services

St. Lawrence County's staff reviewed the American Community Survey 5-Year Estimates for New York State and determined that:

7,443 individuals in St. Lawrence County's service area comprising 7.2% of the population speak a language other than English;

Of those, 2,622 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only 2.5% of the overall population in the service area;

2. The frequency with which LEP persons come in contact with St. Lawrence County's services.

St. Lawrence County staff have had very little contact with LEP persons.

3. The nature and importance of services provided by St. Lawrence County to the LEP population

There is no large geographic concentration of any type of LEP individuals in the service area for St. Lawrence County. The overwhelming majority of the population, 92.8%, speaks only English. As a result, there are few social, service, or professional and leadership organizations within St. Lawrence County's service area that focuses on outreach to LEP individuals. St. Lawrence County's staff is most likely to encounter LEP individuals through office visits, phone conversations, notifications from department staff regarding the results of service delivery, and attendance and participation at public meetings.

4. The resources available to St. Lawrence County, and overall cost to provide LEP assistance

Given the size of the county's LEP population, St. Lawrence County does not intend to translate its documents.

St. Lawrence County can contact local citizens and organizations willing to provide voluntary language translation and interpretation services if needed within a reasonable time period. Other language translation options could be provided by bilingual staff or by telephone from a professional interpretation service for which St. Lawrence County would pay a fee.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be eligible to language assistance with respect to St. Lawrence County's services. Language assistance can include interpretation (that means oral or spoken transfer of a message from one language into another language) and translation (that means the written transfer of a message from one language into another language).

How St. Lawrence County's staff can identify an LEP person in need of language assistance:

- Post notices of the LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- Providing St. Lawrence County's staff with language identification cards to assist in identifying the language interpretation services needed if the occasion arises.
- Periodically surveying St. Lawrence County's staff regarding their interaction with LEP persons during the previous period (e.g., quarterly, semi-annually, and annually).
- Greeting participants at St. Lawrence County's sponsored informational meeting or event. Conversational interaction with participants can help determine LEP needs for future events.

Language Assistance Measures

Although there is a very low percentage of LEP individuals in St. Lawrence County's service area, (i.e., persons who speak English less than "very well" or "not at all",) the following actions will be taken:

1. St. Lawrence County's staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Volunteer Spanish language interpreters will be provided within a reasonable time period.
 - Language interpretation services for all other languages will be accessed through a professional telephone interpretation service.
 - When staff prepares documents or schedules public meeting whose audience is expected to include LEP individuals, St. Lawrence County will provide meeting notices, flyers, and agendas in the appropriate non-English language(s).
 - St. Lawrence County will assess requests for the translation of documents based on the potential effect and known LEP population.

MONITORING

Monitoring and Updating the LEP Plan –St. Lawrence County will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when recent data from the U.S. Census and the American Community Survey is available, or when it is clear that higher

concentrations of LEP individuals are present in St. Lawrence County's service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area (census data, surveys, information from community-based organizations, and other sources).
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts
- Determination of the adequacy of St. Lawrence County's financial resources to fund language assistance resources.
- Determination of St. Lawrence County's full compliance with the goals of the LEP Plan.
- Determination of St. Lawrence County's processing of LEP complaints

DISSEMINATION OF THE LEP PLAN

- Post signs in public areas informing LEP persons of the LEP Plan and how to access language services.
- Notify LEP persons of the availability, upon request of documents in other languages. This should be placed on agendas and public notices and in the language that LEP persons would understand.
- On St. Lawrence County's website, post the LEP Plan and procedure to access language services.
- Prepare and post Press Release in non-English languages as necessary.
- Distribute copies of press release to advocacy groups and other organizations serving LEP populations.

Attachment 7

Nondiscrimination Authorities

FEDERAL LAWS

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination

because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

NEW YORK STATE LAWS

New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York on the basis or race, creed, color, national origin, sex, marital status, age, disability and or sexual orientation.

New York State Law Article 15-A (1988) – An act to amend the executive law and state Finance law, in relation to participation by minority group members and women with respect to state contracts.

New York State Law Article 17-B (2014) – An Act to amend the executive law, in relation to expanding opportunities for service-disabled veteran-owned business enterprises.

Sexual Orientation Nondiscrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

NEW YORK STATE EXECUTIVE ORDERS

On January 1, 2011, Governor Cuomo issued Executive Order 2 that authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs.

Executive Order No. 6 (Governor Cuomo, 1983) – Insures equal employment opportunities for minorities, women, disabled persons and Vietnam Era Veterans in State government. The order clarifies and expands the power of the President of the Civil Service Commission and the Governor’s Executive Committee for Affirmative Action to ensure that agencies develop and implement effective action plans.